



Valley Advocates for Responsible Development

March 2, 2021

Teton County Planning & Zoning Commission
150 Courthouse Drive
Driggs, ID 83422

Re: River Rim Ranch PUD Amendment

Dear Commissioners:

PUD's are discretionary approvals. An applicant must provide a compelling case as to why a particular amendment provides a public benefit to the citizens of Teton County. Since the original River Rim PUD was approved, much has changed in Teton County. The County adopted a Wildlife Habitat Overlay ordinance in 2008 (and updated it in 2010) and passed a Comprehensive Plan in 2012. Though River Rim is an existing PUD, any amendments should be considered as if it were presented anew, particularly since the policy and regulatory landscape has changed so much.

Furthermore, any amendment to this PUD requires the review of the entire PUD. This is clearly established by the plain language of the current Development Agreement, and the applicant has enjoyed a significant increase in development potential by virtue of River Rim Ranch being a PUD. Any changes proposed to the PUD must be considered in the context of the entire PUD, and must fulfill the purpose and intent of the PUD ordinance. Specifically, any change to the PUD must conform to the criteria established in Sections 9-5-1-B **The purposes of the PUD regulations**, and, since this application is a "Substantial Changes – Increase Scale, Impact" amendment application, it must conform to the criteria set forth in 9-7-2 (B-2-b)i **[Criteria for Approval for] Substantial Changes – Increase Scale, Impact**, which is as follows:

*i. The master plan and plat for a subdivision or Planned Unit Development, including the proposed changes, **shall comply with all applicable criteria and standards of the current county regulations.***

ii. Any proposed changes to a recorded plat or master plan that increase direct or indirect impacts may require additional mitigation pursuant to the criteria and standards of county regulations.

Of particular concern is the South Canyon phase of the PUD. The applicant has requested approval to change the PUD, and, since any PUD amendment should be considered a application anew, the

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Planning & Zoning Commission should review the South Canyon Phase of the development. This 55-unit phase is a tendrill of development that extends to the rim of Teton River Canyon, one of the most scenic and wildlife-rich areas of Teton County. The South Canyon phase would likely not pass muster under today's policy and regulatory framework. Moreover, a tremendous amount of new data has been collected by the Idaho Fish & Game Department (IDFG), and the P&Z should consider the requirement of a new wildlife habitat study. For reference, here is a recent Jackson Hole News & Guide piece on the ["enigmatic" Targhee Herd](#), and a map of recently-collared [elk herds in the Greater Yellowstone Ecosystem](#) produced by IDFG, the Wyoming Department of Fish & Game, and the Middleton Laboratory at the University of California-Berkeley. As you can see, the Targhee Herd may be directly impacted by the application. A new wildlife habitat analysis is necessary to determine the level of said impact.

Respectfully,

A handwritten signature in blue ink, appearing to read "Shawn W. Hill". The signature is stylized and cursive.

Shawn W. Hill

Executive Director